

Statement on Signing the Maritime Transportation Security Act of 2002 November 25, 2002

Today I have signed into law S. 1214, the “Maritime Transportation Security Act of 2002.” This Act will strengthen security at our Nation’s seaports by requiring comprehensive security plans for U.S. ports and mandating improved identification and screening of seaport personnel.

Certain provisions of the Act, including sections 102, 103(b), 110(c)(4), and 112(4), purport to require an executive branch official to submit recommendations to the Congress. The executive branch shall construe such provisions in a manner consistent with the President’s constitutional authority to supervise the unitary executive branch. Moreover, to the extent such provisions of the Act would require submission of legislative recommendations, they would impermissibly impinge upon the President’s constitutional authority to submit only those legislative recommendations that he judges to be necessary and expedient. Accordingly, the executive branch shall construe such provisions as requiring submission of legislative recommendations only where the President judges them necessary and expedient.

Section 102 of the Act adds a new section 70109 to title 46 of the United States

Code. This provision purports to require one of my subordinates to notify foreign officials of certain findings and recommend antiterrorism measures to them. The constitutional authority of the President over foreign affairs necessarily entails discretion over these matters, and so the executive branch shall interpret this provision as precatory.

Section 102 of the Act also adds a new section 70112 to title 46. Section 70112(a)(1)(B) purports to authorize an advisory committee in the executive branch to make available to the Congress recommendations that the committee makes to the Secretary of the Department in which the Coast Guard is operating. The executive branch shall construe this provision in a manner consistent with the President’s constitutional authority to supervise the unitary executive branch and to protect the deliberative processes of the Executive.

GEORGE W. BUSH

The White House,
November 25, 2002.

NOTE: S. 1214, approved November 25, was assigned Public Law No. 107–295.

Remarks on Signing the Terrorism Risk Insurance Act of 2002 November 26, 2002

Thank you all. Please be seated. Thank you. Good morning, and welcome to the White House. Today we’re taking action to strengthen America’s economy, to build confidence with America’s investors, and to create jobs for America’s workers. The Terrorism Risk Insurance Act will provide coverage for catastrophic losses from potential terrorist attacks. Should terrorists strike

America again, we have a system in place to address financial losses and get our economy back on its feet as quickly as possible. With this new law, builders and investors can begin construction in real estate projects that have been stalled for too long and get our hardhats back to work.

I appreciate members of my Cabinet who are here who worked on this bill, Paul

O'Neill and Don Evans and Elaine Chao. Thank you all for coming.

I appreciate the Members of Congress who are here, particularly those on the stage with me who worked hard to get the bill passed: Chairman Paul Sarbanes; Chris Dodd from Connecticut, who did a lot of work to get the bill done; Senator Harry Reid worked hard on this piece of legislation as well. I appreciate Chairman Mike Oxley from the House, who also worked, along with Senator Dodd, to get this important piece of legislation passed. Mike, thank you for your leadership on this issue. As well, we're joined by other key players from the House of Representatives, Sue Kelly, Chris Shays, John LaFalce, and Ken Bentsen. These Members of Congress put the interests of the country ahead of partisanship, and as a result of their hard work, I'm able to sign the bill today. I want to thank you for your leadership.

I also want to thank the union leaders who are here today, people with whom we've worked hard to get this done, leaders who put the interest of their membership right on the line. Doug McCarron—appreciate your leadership, Doug. He's the general president of the United Brotherhood of Carpenters and Joiners. Frank Hanley is the general president of the International Union of Operating Engineers, is with us today. Joe Hunt is the general president of the Ironworkers International union; Ed Sullivan, who is the president of the Building and Construction Trades Department of the AF of L-CIO; Terry O'Sullivan, who is the general president of the Laborers International Union of North America.

I appreciate the workers from the United Brotherhood of Carpenters and Joiners and Ironworkers and the Building and Construction Trade Department of the AFL-CIO, who are with us today representing thousands of people who are going to go back to work, thanks to this piece of legislation. Thanks for your leadership, and thanks for your presence.

The attacks of September the 11th, 2001, devastated lives, leveled buildings, and seriously, seriously disrupted our economy. Businesses suffered. The stock market halted trading. Many insurance companies stopped covering builders and real estate owners against the risk of attack. Premiums skyrocketed; protections were diminished. Across America, hospitals and office buildings and malls and museums and construction jobs and many transportation companies have had difficulty finding terrorism insurance.

More than \$15 billion in real estate transactions have been canceled or put on hold because owners and investors could not obtain the insurance protection they need. Commercial construction is at a 6-year low, and thousands of hardhat workers have been kept off the job. Commercial mortgage-backed securities have seen their bond ratings lowered, hurting many Americans invested in the bond market, including teachers and police officers and firefighters, who have lost money in their pension plans.

By helping to ensure that terrorism insurance is affordable and available, the Terrorism Risk Insurance Act will permit many construction projects to move forward and to help this economy grow. Billions of dollars in investments will be more secure. The Nation's hardhats will get back to work, being able to put food on the table for their families. Investors in markets will have greater confidence that our economy is strong enough to withstand a future attack, and that's important.

This new law will also help the economy in the legal system by discouraging abusive lawsuits. Civil cases resulting from a terrorist attack will be combined in a single Federal court. Lawyers will be prevented from shopping for courts with a reputation for outrageous awards. Judgments and rulings will be more consistent.

It's important for our taxpayers to understand that taxpayer dollars will not be used to pay punitive damages. I'm grateful to

the Members of Congress who put the interest of the workers and taxpayers ahead of lawyers. I look forward to working with the new Congress on stronger measures to prevent abusive lawsuits. And today I'm taking steps to ensure that no taxpayer dollar will be spent on legal settlements without the approval of the Secretary of the Treasury. The Secretary will work to ensure that settlements are fair to victims, not windfalls for the legal class of America.

The act of Congress I sign today will encourage greater competition in the insurance market and add strength to our economy. But there's more to do. I'll work with Democrats and Republicans in the next Congress to pass a growth-and-jobs package early next year. My Administration is determined to make America safer, to make our economy stronger, and we're making progress on both fronts.

America has entered a new kind of war, requiring aggressive action abroad and active defense at home. Yesterday I signed into law the new Department of Homeland Security, to organize our Government for the long-term challenge of protecting America. Today, with terrorism insurance, we're defending America by making our economy more secure. Both these achievements show the unity of our Nation in a time of testing and our resolve to lead America to a better day.

I'm now pleased to sign the Terrorism Risk Insurance Act of 2002.

NOTE: The President spoke at 9:30 a.m. in the East Room at the White House. H.R. 3210, approved November 26, was assigned Public Law No. 107-297. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Memorandum on Implementation of the Terrorism Risk Insurance Act of 2002

November 26, 2002

Memorandum for the Secretary of the Treasury

I hereby direct you to exercise your authority under the Terrorism Risk Insurance Act of 2002 to propose a rule that would require an insurer to obtain your advance

approval of any proposed settlement of causes of action described in section 107 arising out of or resulting from an act of terrorism.

GEORGE W. BUSH

Remarks at the Thanksgiving Turkey Presentation Ceremony

November 26, 2002

Good afternoon, and welcome to the Rose Garden. I'm glad you all are here.

I see the turkey standing there. [*Laughter*] He looks a little nervous, doesn't he? [*Laughter*] He probably thinks he's going to have a press conference. [*Laughter*]

I really appreciate you coming to watch me give this bird a Presidential pardon. I'm especially glad to see all the young people who are here. Thank you for coming—and such wonderful looking costumes. We welcome the Boys and Girls Clubs, the Boy Scouts, and school students from the